

REMARKS/ARGUMENTS

Claims 1, 5, 11 and 15 were rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Application Publication No. 2002/0010608 (“Faber”). Claims 2-4, 6, 12-14 and 16 were rejected under 35 U.S.C. 103(a) as being unpatentable over Faber in view of U.S. Patent Publication No. 2001/0027481 (“Whyel”). Claims 7-10 and 17-34 were rejected under 35 U.S.C. 103(a) as being unpatentable over Faber in view of U.S. Patent Application Publication No. 2002/0072974 (“Puliese”). Applicant respectfully disagrees.

Applicant respectfully submits that the reference (“Faber”) and the present application were commonly owned by, or subject to obligation of assignment to, Keen.Com. Since Faber was published on Jan. 24, 2002, after the filing date of December 14, 2001, Faber is not a proper prior art according to 35 U.S.C. 103(c). Thus, the withdrawal of the rejections under 35 U.S.C. 103(a) is respectfully requested.

In rejecting claims 1, 5, 11 and 15, the Office Action asserted that “Faber discloses [or] teaches determining a service provider ID code (paragraph 35)”. However, such a feature of Faber is not sufficient to anticipate the limitation of “determining a service provider ID code of a service provider *based on a request received from the service provider*”. Thus, at least for this reason, Faber does not anticipate independent claims 1 and 11 and their dependent claims 5 and 15.

Further, in rejecting claims 1, 5, 11 and 15, the Office Action relied upon “paragraphs 35-36 indicates a client table (200) ...” of Faber (page 3, line 6, Office Action mailed January 7, 2008). However, there is no paragraph [0036] in U.S. Patent Application Publication No. 2002/0010608 (“Faber”); and the reference number 200 in Figures 1 and 2 of Faber represents “service provider computer”, not “a client table”. Thus, clarification is respectfully requested.

Thus, at least for the above reasons, the withdrawal of the rejections is respectfully requested for the pending claims.

CONCLUSION

It is respectfully submitted that all of the Examiner's objections have been successfully traversed and that the application is now in order for allowance. Accordingly, reconsideration of the application and allowance thereof is courteously solicited. Should the Examiner need to contact the undersigned, please do so at (650)328-8500.

Please credit any overpayments and charge any fee deficiencies to Deposit Account No. 50-2638, referencing Attorney Docket No. 076705-202001/US.

Respectfully submitted,

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